

Bath & North East Somerset Council

MEETING/ DECISION MAKER:	Licensing Committee	
MEETING/ DECISION DATE:	7th July 2014	EXECUTIVE FORWARD PLAN REFERENCE:
TITLE:	Approval of Taxi and Private Hire Vehicle Testing Stations	
WARD:	All	
AN OPEN PUBLIC ITEM		
List of attachments to this report: Appendix A – Options Report into the Inspection of Taxi Vehicles		

1 THE ISSUE

- 1.1 As part of the Hackney Carriage and Private Hire Vehicle (Taxis) licensing process all Taxis are inspected to ensure they are in a suitable mechanical condition and are safe. These mechanical and safety inspections are currently carried out at one of six approved garages within B&NES.
- 1.2 The current system for managing the approval of garages has not been reviewed for some time.
- 1.3 A review of the process has been undertaken to ensure that the approval of garages is carried out in an open and transparent way, and that it complies with the current procurement guidance.
- 1.4 This report has been brought before the Council's Licensing Committee for information only.

2 RECOMMENDATION

- 2.1 The Committee are asked to note the report.

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 3.1 Financial: There is no financial risk to the Council. The licensing legislation requires that the service should be cost neutral. Taxi operators will pay the garages directly for the vehicle license inspections. An application fee and an annual charge will be charged to those garages wishing to be placed on the Council's approved list. This charge will cover the cost of administering the scheme.
- 3.2 Staffing: The administration and compliance will be met from existing resources.
- 3.3 Equalities: An Equalities Impact Assessment has been completed and there are no implications with regard to the implementation of this new legislation.
- 3.4 Economic: The proposal aims to continue to support local businesses, including the taxi operators themselves by providing a choice of locations for vehicle license inspections throughout Bath and North East Somerset.
- 3.5 Environment: None arising directly from this report.
- 3.6 Council Wide Impacts: None arising directly from this report.

4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

- 4.1 The licensing of Taxis is required by the Town Police and Clauses Act 1847, byelaws, and the Local Government (Miscellaneous Provisions) Act 1976.
- 4.2 The Licensing Authority is also required to demonstrate good practice by having regard to the "Taxi and Private Hire Vehicle Licensing: Best Practice Guidance 2010"

5 THE REPORT

- 5.1 The licence inspection is carried out to ensure that vehicles are in a suitable mechanical condition and are safe to be licensed as Taxis thereby ensuring the safety of the public. Accordingly, the Licensing Authority must be satisfied with the quality of these inspections and therefore currently restricts approval of garages to those that are VOSA approved MOT Testing stations.
- 5.2 At present there are 365 Private Hire Vehicles and 162 Hackney Carriages licensed to operate within Bath & North East Somerset and the owners of these vehicles have the option of taking their vehicle to any one of the 6 approved garages within B&NES.
- 5.3 A review of the approval process for garages was recently undertaken to consider what future provision is considered necessary to ensure that our customers (the taxi operators) are provided with the most suitable cost effective service to meet their needs. Also the Licensing Authority must be satisfied that the inspection process is robust enough to ensure public safety.
- 5.4 The Council sets the maximum charge for these vehicle inspections, which is the same as the cost of an MOT . However, as the inspection is similar to the MOT, a combined test may be offered at a reduced rate. This does offer some benefit to taxi operators as, not only does it cost less, but more importantly it minimises the time that the vehicle is off the road.

5.5 If the vehicle is in a suitable mechanical condition and is safe the garage issues the driver with a completed vehicle inspection form, which is submitted to the Licensing Officer with the completed application or renewal form.

5.6 A number of options were considered, and these are outlined in the Options Paper - Appendix A

5.7 Option 1 was considered to be the preferred option, as it:

- Maintains customer choice
- Provides competition and so value for money
- Supports the local economy
- Reduces the risk of fraud

6 RATIONALE

6.1 The best practice guidance recommends that local authorities should consult with stakeholders regarding licensing policy. In January 2013 the Licensing team undertook a satisfaction survey with all taxi operators. As part of this survey operators were asked which of the approved vehicle inspection stations they used, and if the number of stations was sufficient for their needs. At that time 96.4% considered that the current provision of 6 approved garages was sufficient for their needs.

6.2 As the garages will be required to pay an initial application fee of £200, and then an annual fee to the Council to allow them to be on the approved list (estimated to be around £120) and as there are only a finite number of vehicles to check, there will be a threshold number of inspections that the garages will need to undertake each year in order to break even and consider remaining part of the Council's approved scheme.

6.3 The 2013 survey also showed that 97% of inspections took place at 4 of the 6 garages, with 54% using the Transport Services garage at Locksbrook Road.

6.4 The survey demonstrated there is no justification for increasing the number of approved garages and that the current arrangement of six garages was acceptable to the taxi operators.

6.5 However, at present 4 of the garages are located in Bath and 2 in Radstock. There is currently no provision in Keynsham.

6.6 Under the Taxi and Private Hire Vehicle Licensing :Best Practice Guidance 2010 it is considered good practice to have more than one taxi testing station in an area and so to bring all inspections in house would not be seen as best practice.

6.7 The preferred option, (Option 1 in Appendix A)

- helps to support the local economy
- supports the Council's "Buy Local" policy

- continues to provide taxi operators with a choice as to where the test is carried out, which is most suitable or convenient to meet their business needs
- provides the licensing authority with the confidence that it reduces the risk of fraud and so protects public safety.
- by using a number of approved garages it complies with best practice

7 CONSULTATION

7.1 This report has not been sent to the Trades Unions because there are no staffing issues.

8 RISK MANAGEMENT

8.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

Contact person	Suzanne McCutcheon (Education and Enforcement Team Manager) Tel: 01225 396044
Background papers	<ol style="list-style-type: none"> 1. Taxi and Private Hire Vehicle licensing :Best Practice Guidance 2010 2. Service Level Agreement 3. Taxi and PHV licence conditions 4. Taxi and PHV Inspection Form
Please contact the report author if you need to access this report in an alternative format	